

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DORON G. ZEMACH,

Plaintiff,

JUDGMENT  
22-cv-338 (BMC)

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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A Memorandum, Decision, and Order of the Honorable Brian M. Cogan, United States District Judge, having been filed on November 6, 2023, granting in part plaintiff's motion for judgment on the pleadings; denying the Commissioner's cross-motion for judgment on the pleadings; and remanding this case pursuant to the fourth sentence of 42 U.S.C. § 405(g); it is

ORDERED and ADJUDGED that plaintiff's motion for judgment on the pleadings is granted in part; that the Commissioner's cross-motion for judgment on the pleadings is denied; that the case is remanded pursuant to the fourth sentence of 42 U.S.C. § 405(g); and that on remand, the ALJ shall: (1) obtain another consultative examination that includes assessment of plaintiff's right arm impairment, which shall include review of the nerve conduction study, treatment notes, and medical source statement of Dr. Edelstein; and (2) hold an additional hearing, at which the ALJ shall (a) reconsider whether plaintiff's right arm impairment is severe; (b) reassess plaintiff's RFC in light of the additional consultative examination; and (c) if necessary, obtain vocational expert testimony as to whether there are jobs in the national economy which plaintiff can perform.

Dated: Brooklyn, NY  
November 7, 2023

Brenna B. Mahoney  
Clerk of Court

By: /s/Jalitza Poveda  
Deputy Clerk